THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 15468 of 2006

28-08-2006

Between:-

Yogesh Jakotiya

Petitioner

And

The Government of Andhra Pradesh rep., by its Secretary, Revenue (Endowment) Department, A.P. Secretariat, Hyderabad and three others.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 15468 of 2006

Oral order:

Heard Sri S. Satyam Reddy, learned counsel for the petitioner; the learned Government Pleader for Endowments for respondent No.1 and the learned Government Pleader for Revenue for respondent Nos. 2 to 4.

The writ petition is filed seeking a declaration that *'the action of respondents in showing the petitioner's patta land in sy. Nos. 312 & 313 ad-measuring Ac.0-25 & Ac. 0-16 gts., respectively situated in Devarayamjal village, Shameerpet Mandal, Ranga Reddy district as lands belonging to Sree Sitaramaswamy Temple, which is a typographical error and is apparent to on the face of the G.O.Ms.No. 810, Revenue (Endowment) Department dated 14-10-2004 and refusing to correct the same and not permitting the petitioner to sell his patta land despite the petitioner*

making representations to the respondents as arbitrary and illegal and consequently direct the respondents to carry out the correction of Sy.No. 312 & 313 as 212 & 213 in the said G.O. and also direct the fourth respondent to register the sale deed to be executed by the petitioner and pass such other order or orders as this Hon'ble Court may deem fit and proper."

The petitioner claims to the owner and in possession of lands in various survey numbers in an extent of Ac.06-23 gts., including in survey Nos. 312 and 313 wherein he has lands ad-measuring Ac.025 gts., and Ac.0-16 gts., respectively. In G.O.Ms.No.810 Revenue (Endowments-I) Department dated 14-10-2004 (for short the 'G.O.') the lands in survey Nos. 312 and 313 were shown as belonging to Sri Sitaramaswamy Temple, Devarayamjal village, Shameerpet mandal, Ranga Reddy district (for short 'the Temple'). The G.O. specified that the extents of Ac.12-18 gts., and Ac.11-22 gts., respectively in the aforesaid G.O. belong to the Temple. The petitioner sates that the mention of survey Nos. 312 and 313 is a typographical error. The Mandal Revenue Officer, Shameerpet Mandal, Ranga Reddy district, has also issued a certificate dated 31-07-2006 stating that as per verification of the revenue records, survey Nos. 312 and 313 of Devar Yamjal village are erroneously mentioned as lands belonging to the Temple in the G.O. and these lands are patta lands. In fact, a judgment of a

learned Division Bench of this court dated 20-02-2006 in W.P.No. 17325 of 2005 and batch, has quashed the above G.O.

The present grievance of the petitioner is that when he approached the 1st respondent to rectify the typographical error, the 1st respondent has not acted upon his representation and that the 4th respondent, the Sub-Registrar, Shameerpet, Ranga Reddy district is declining to register the sale of petitioner's lands in view of the specification of lands in survey Nos. 312 and 313 of Devarayamjal village, Shameerpet mandal, Ranga Reddy dstrict as belonging to the Temple notwithstanding the quashing of G.O. by a learned Division Bench of this court, as mentioned above and notwithstanding the invalidation of Section 22-A of the Registration Act of this court following the judgment of the Supreme Court.

On instructions, the learned Government Pleader for Revenue states that as and when the petitioner submits his documents for sale of lands in respect of survey Nos. 312 and 313 of Devarayamjal village, Shameerpet mandal, the 4th respondent would consider those documents for registration without reference to G.O. In view of the submission made by the learned Government Pleader for Revenue, no further orders are required in this writ petition. The writ petition is disposed of

recording the submission. No costs.

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GODA RAGHURAM, J

Dated:28-08-2006
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